

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001 03-MD-01570 (GBD)(SN)
ECF Case

This document relates to:

Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al., 02-cv-06977
Gladys H. Salvo, et al. v. Al Qaeda Islamic Army, et al., 03-cv-05071
Federal Insurance Co., et al. v. Al Qaida, et al., 03-cv-06978
Thomas E. Burnett, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al., 03-cv-09849
Estate of John P. O'Neill, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al., 04-cv-01923
Continental Casualty Co., et al. v. Al Qaeda, et al., 04-cv-05970
Cantor Fitzgerald & Co., et al. v. Akida Bank Private Ltd., et al., 04-cv-07065
Euro Brokers Inc., et al. v. Al Baraka Inv. & Dev. Corp., et al., 04-cv-07279
Maher, et al. v. Islamic Emirate of Afghanistan a/k/a The Taliban, et al., 1:23-cv-02845

**DEFENDANTS' NOTICE OF JOINT MOTION TO EXCLUDE THE EXPERT
TESTIMONY OF EVAN KOHLMANN AND MATTHEW LEVITT**

PLEASE TAKE NOTICE that pursuant to the Court's June 28, 2023 Order (ECF. 9173), Defendants,¹ by and through their undersigned counsel, will move the Court before the Honorable Sarah Netburn, U.S. Magistrate Judge, at the United States District Court for the Southern District of New York, Thurgood Marshall Courthouse, 40 Foley Square, Room 430, Courtroom 219, at a date and time to be determined by the Court, for an Order striking the reports and excluding the proffered testimony of Plaintiffs' experts Evan Francois Kohlmann and Matthew Levitt.

¹ "Defendants" means World Assembly of Muslim Youth and World Assembly of Muslim Youth International, International Islamic Relief Organization, Muslim World League, the four "Charity Officer Defendants" (Abdullah Omar Naseef, Abdullah bin Saleh al Obaid, Abdullah Mohsen al Turki, and Adnan Basha), and Yassin Kadi.

Defendants seek this relief for the reasons set forth in the accompanying Memorandum of Law in Support of Defendants' Joint Motion to Exclude the Expert Testimony of Evan Kohlmann and Matthew Levitt and the Declaration of Aisha Bembry and its attached exhibits.

July 31, 2023

Respectfully submitted,

/s/ Aisha E. R. Bembry

Eric L. Lewis

Waleed Nassar (admitted *pro hac vice*)

Aisha E. R. Bembry (admitted *pro hac vice*)

Sumayya Khatib (admitted *pro hac vice*)

Lewis Baach Kaufmann Middlemiss PLLC

1101 New York Avenue, NW Suite 1000

Washington, DC 20005

Telephone: (202) 833-8900

Fax: (202) 466-5738

Email: eric.lewis@lbkmlaw.com

Email: waleed.nassar@lbkmlaw.com

Email: aisha.bembry@lbkmlaw.com

Email: sumayya.khatib@lbkmlaw.com

Counsel for Defendants Muslim World League, International Islamic Relief Organization, Dr. Abdullah bin Saleh Al Obaid, Dr. Adnan Khalil Basha, Dr. Abdullah Omar Naseef, and Dr. Abdullah bin Abdelmohsen Al Turki

/s/ Omar T. Mohammedi

Omar T. Mohammedi

Frederick Goetz, *of counsel* (admitted *pro hac vice*)

The Law Firm of Omar T. Mohammedi, LLC

233 Broadway, Suite 820

New York, NY 10279

Telephone: (212) 725-3846

Fax: (212) 202-7621

Email: omohammedi@otmlaw.com

Email: fgoetz@goetzeckland.com

Counsel for Defendants World Assembly of Muslim Youth and World Assembly of Muslim Youth International

/s/ Alan Kabat

Alan Kabat

Bernabei & Kabat PLLC

1400 16th St. NW #500

Washington, DC 20036-2223

Telephone: 202-745-1942

Email: Kabat@BernabeiPLLC.com

Counsel for Dr. Abdullah bin Saleh Al Obaid, Dr. Adnan Khalil Basha, Dr. Abdullah Omar Naseef, and Dr. Abdullah bin Abdelmohsen Al Turki

/s/ Peter C. Salerno

Peter C. Salerno

Amy Rothstein

Salerno & Rothstein

221 Schultz Hill Road

Pine Plains, NY 12567

Telephone: (518) 771-3050

Email: peter.salerno.law@gmail.com

Email: amyrothsteinlaw@gmail.com

Counsel for Defendant Yassin Kadi